

**IN THE CLAIMS:**

Please substitute the following claims for the same-numbered claims in the application:

- 1-7. (Canceled)
8. (Original) A method of forming a phase shift mask comprising:  
forming a non-transparent film on a transparent substrate;  
patterning an etch stop layer on said non-transparent film;  
patterning said non-transparent film using said etch stop layer to expose areas of said transparent substrate;  
forming a mask on said non-transparent film to protect selected areas of said transparent substrate;  
forming a phase shift oxide on exposed areas of said transparent substrate;  
removing said mask;  
polishing said phase shift oxide down to said etch stop layer; and  
removing said etch stop layer.
9. (Currently Amended) The method ~~in~~ of claim 8, wherein said process of forming said phase shift oxide comprises placing said transparent substrate and said non-transparent film within a deposition bath.
10. (Currently Amended) The method ~~in~~ of claim 8, wherein said polishing process controls the thickness of said phase shift oxide.
11. (Currently Amended) The method ~~in~~ of claim 8, wherein the thickness of said etch stop layer controls the thickness of said phase shift oxide.

12. (Currently Amended) The method ~~in~~ of claim 8, wherein said process of forming said phase shift oxide is controlled to adjust the optical properties of said phase shift oxide.

13. (Currently Amended) The method ~~in~~ of claim 8, wherein said process of patterning said etch stop layer comprises:

- forming an organic base layer on said non-transparent film;
- forming a nitride etch stop layer on said base layer; and
- forming a photoresist on said nitride etch stop layer.

14. (Currently Amended) The method ~~in~~ of claim 13, wherein said process of patterning said etch stop layer further comprises:

- exposing said photoresist;
- developing said photoresist; and
- etching said nitride etch stop layer and said organic base layer through said the resist layer.

15. (Currently Amended) The method ~~in~~ of claim 8, wherein said process of forming said mask forms openings in said mask above openings within said non-transparent film to allow selected areas of transparent substrate where said phase shift oxide is to be formed to be exposed.

16. (Currently Amended) The method ~~in~~ of claim 8, wherein said non-transparent film comprises one of chrome, tungsten, molybdenum, molybdenum silicide, and a chrome film.

17. (Currently Amended) The method ~~in~~ of claim 8, wherein said transparent substrate comprises one of quartz, fluorinated quartz,  $\text{CaF}_2$ , hafnium oxide, and a quartz substrate.

18. (Currently Amended) A phase shift mask comprising:  
a transparent substrate;  
a patterned non-transparent film above said transparent substrate;  
an etch stop layer above said patterned non-transparent film; and  
a liquid phase deposition oxide phase shift material within selected openings of said patterned non-transparent film, wherein said phase shift material has a polished top surface above said patterned non-transparent film and comprises a predetermined thickness controlled by a thickness of said etch stop layer.
19. (Currently Amended) The ~~method in~~ mask of claim 18, wherein said non-transparent film comprises one of chrome, tungsten, molybdenum, molybdenum silicide, and a chrome film.
20. (Currently Amended) The ~~method in~~ mask of claim 18, wherein said transparent substrate comprises one of quartz, fluorinated quartz,  $\text{CaF}_2$ , hafnium oxide, and a quartz substrate.
21. (New) A method of forming a phase shift mask comprising:  
forming a non-transparent film on a transparent substrate, an organic layer on said non-transparent film, and an etch stop layer on said organic layer;  
patterning said etch stop layer, said organic layer and said non-transparent film to expose areas of said transparent substrate;  
forming a mask to protect selected areas of said transparent substrate;  
forming a phase shift oxide on exposed areas of said transparent substrate;  
removing said mask;  
polishing said phase shift oxide down to said etch stop layer; and  
removing said etch stop layer.

22. (New) The method of claim 21, wherein said process of forming said phase shift oxide comprises placing said transparent substrate and said non-transparent film within a deposition bath.
23. (New) The method of claim 21, wherein said polishing process controls the thickness of said phase shift oxide.
24. (New) The method of claim 21, wherein the combined thickness of said etch stop layer and said organic layer controls the thickness of said phase shift oxide.
25. (New) The method of claim 21, wherein said process of forming said phase shift oxide is controlled to adjust the optical properties of said phase shift oxide.
26. (New) The method of claim 21, wherein said process of forming said mask forms openings in said mask above openings within said non-transparent film to allow selected areas of transparent substrate where said phase shift oxide is to be formed to be exposed.
27. (New) The method of claim 21, wherein said non-transparent film comprises one of chrome, tungsten, molybdenum, molybdenum silicide, and a chrome film.